

UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois – CM/ECF NextGen 1.7.1.1
Eastern Division

Laura Annette Zollar

Plaintiff,

v.

Case No.:
1:24-cv-04114
Honorable Sunil R.
Harjani

The Partnerships and Unincorporated Associations
Identified on Schedule A

Defendant.

NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Monday, July 22, 2024:

MINUTE entry before the Honorable Sunil R. Harjani: Plaintiff has filed an Amended Complaint [23] as directed. At this preliminary stage and in the absence of adversarial presentation, the Court finds that joinder of three Defendants is proper at this time and this case may now proceed. Moreover, no defendants will be prejudiced by permitting joinder at this juncture. See Bose Corp. v. Partnerships & Unincorporated Associations Identified on Schedule "A", 334 F.R.D. 511, 517 (N.D. Ill. 2020). To the extent any defendant appears and objects to joinder, the Court will revisit the issue and is free to sever certain defendants from the case under Rule 21 at that time. Id. Plaintiff's second renewed ex parte motion for a temporary restraining order, including a temporary injunction, a temporary asset restraint, expedited discovery, and service of process by email and/or electronic publication [25] is granted. Plaintiff's renewed ex parte motion for temporary restraining order [21] is denied as moot. Plaintiff's submissions establish that, were defendants to learn of these proceedings before the execution of plaintiff's requested preliminary injunctive relief, there is a significant risk that defendants could destroy relevant documentary evidence and hide or transfer assets beyond the reach of the Court. Accordingly, subject to unsealing at an appropriate time, plaintiff may file under seal the documents identified in the motion to seal. The Temporary Restraining Order being entered along with this minute order shall also be placed under seal. In addition, for the purpose of the motions cited above, plaintiff's filings support proceeding on an ex parte basis at this time. Specifically, and as noted above, were defendants to be informed of this proceeding before a TRO could issue, the Court finds that it is likely that their assets and websites would be redirected, thus defeating plaintiff's interests in identifying defendants, stopping defendants' infringing conduct, and obtaining an accounting. In addition, the evidence submitted by plaintiff shows a likelihood of success on the merits (including evidence of active infringement and sales into Illinois), that the harm to plaintiff is irreparable, and that an injunction is in the public interest. An injunction serves the public interest because of the consumer confusion caused by defendants' unauthorized use of plaintiff's copyrighted works, and there is no countervailing harm to defendants from an order directing them to stop infringement. Electronic service of process does not violate

any treaty and is consistent with due process because it effectively communicates the pendency of this action to defendants. Expedited discovery is warranted to identify defendants and to implement the asset freeze. Enter Sealed Temporary Restraining Order at 11 a.m. on 7/22/2024. Plaintiff shall file the TRO extension motion (or a preliminary injunction motion) if appropriate no later than 7/29/2024. Telephone status hearing is set for 8/5/2024 at 9:15 a.m. Members of the public and media will be able to call in to listen to this hearing but will be placed on mute. The call-in number is (855) 244-8681 and the access code is 172 628 1276##. Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting of court proceedings. Mailed notice(lxs,)

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